

## SPECIAL TOWN BOARD MEETING

January 25, 2006

Supervisor Pagones opened the Special Town Board meeting at 9:40 am, Town Hall, 807 Route 52, Fishkill, New York and led the audience with the “Pledge of Allegiance”.

Present: Supervisor Joan A. Pagones; Town Board members, Steve Ferguson, Ronald Leenig, Heather Malvarosa, Dennis Zack; Town Attorney, Ronald Blass; Town Engineer John Andrews; Paula Sarvis – Assessor, Christopher Colsey – Municipal Development Director, Rich Rang – Fishkill Commons @ Westage, Resident - Beatrice Lindsay, and Town Clerk, Darlene Bellis

### **PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS**

None

### **ANNOUNCEMENT(s)**

Town of East Fishkill public hearing - local law establishing a moratorium  
Supervisor Pagones read (**copy attached to original minutes**) a public hearing notice from the Town of East Fishkill considering a proposed Local Law establishing a moratorium with respect to certain development within the Town of East Fishkill to be held on January 26, 2006 at 7:30 pm.

Thank you from Paul Annetts - Superintendent, Downstate Correctional Facility

Supervisor Pagones read (**copy attached to original minutes**) a letter thanking the Highway Superintendent for his assistance in sanding Downstate Correctional facility parking lot on January 15, 2006.

### **MOTION(s) TO APPROVE/ADOPT**

Fishkill Commons @ Westage

Supervisor Pagones stated that the Board will not entertain this item at this particular time due to other items that need to be taken care of. Applicant is working on the items as we speak.

Supervisor will entertain comments from the audience.

Beatrice Lindsay – Vice President of the Board of Managers from “The Commons at Fishkill” read a letter (**copy attached to original minutes**) relating to “The Commons”. It is suggested that the applicant rename their project due to confusion when one seeks emergency response from fire, police or ambulance.

Supervisor stated the Board is supportive of this rezoning. There are some last minute details that must be worked out to protect the Town and will be going forward with it.

Supervisor Pagones read (**copy attached to original minutes**) the Dutchess County Planning comments dated January 25, 2006.

Re-opened 11:05 am

Town Engineer, John Andrews, reviewed the Negative Declaration for the Fishkill Commons @ Westage rezoning and recommends that the Board adopts the negative declaration for the to be renamed Fishkill Commons @ Westage.

Town Attorney, Ronald Blass, stated that he recommends that the Town Board adopts the negative declaration which incorporates such agreements and conditions.

Supervisor Pagones stated this is a very important project for the town. Supervisor Pagones read (**copy attached to original minutes**) the introduction page one of the negative declaration document.

Supervisor Pagones stated she would entertain a motion to adopt the negative declaration as submitted and reviewed for Fishkill Commons @ Westage to be renamed in the near future.

**Motion** made by Councilman Zack **to adopt the negative declaration as submitted and reviewed for the Fishkill Commons @ Westage to be renamed in the near future. Seconded** by Councilman Ferguson

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried Unanimously

Supervisor Pagones read (**copy attached to original minutes**) a resolution adopting the local law conditionally amending the zoning map of Chapter 150to change the district designation of certain real property from PSC to PB and to create a senior citizen housing district upon said real property to accommodate the senior citizen housing project known as “Fishkill Commons @ Westage” to be renamed in the near future.

**Motion** made by Councilman Zack **to adopt the local law as stated above and submitted. Seconded** by Councilman Ferguson

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried Unanimously

The Crest at Fishkill-letter request

Supervisor Pagones read (**copy attached to original minutes**) requesting a letter from Fishkill Dutchess Park Sewer district of the available sewer service of the Crest at Fishkill Townhouse development.

Town engineer, John Andrews, stated he did receive the letter, they are not in Dutchess Park Sewer District, and they will need an out of district tenant agreement drawn up. John is already doing his part and Town Attorney, Ronald Blass, will have to prepare an out of district tenant agreement for the Crest at Fishkill Townhouse development.

Home Rule Request for Senate Bill #4166/Assembly Bill #3417

Supervisor Pagones read (**copies attached to original minutes**) the Senate bill #4166 and Assembly Bill #3417.

**Motion** made by Councilman Ferguson **to approve the Home Rule request in regards to the Fishkill IDA as presented.** **Seconded** by Councilman Leenig

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye
Motion Carried	Unanimously	

2006 Contract approvals

Supervisor Pagones read (**copy attached to original minutes**) the 2006 contract approvals submitted by Police Department.

**Motion** made by Councilman Ferguson **to approve the 2006 contracts as submitted by the Police Department.** **Seconded** by Councilman Zack  
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)  
Motion Carried Unanimously 5-0

**BUDGET TRANSFERS**

None

**NEW and OLD BUSINESS**

None

**EXECUTIVE SESSION**

**Motion** made by Councilman Ferguson **to go into executive session.**

**Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried Unanimously 5-0

Executive session at 11:10 am

Regular Order of Business

**Motion** made by Councilman Ferguson **to go back into the regular order of business. Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried Unanimously 5-0

Regular order of business at 12:12pm

**ADJOURNMENT**

Supervisor Pagones stated that the meeting will be adjourned for about one hour.

Meeting adjourned at 9:53 am - will be back at 11:00 am.

Re-opened at 11:05 am

(see above Fishkill Commons @ Westage adoption)

**Motion** made by Councilman Zack **to close the meeting. Seconded** by Councilman Ferguson

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried Unanimously 5-0

Meeting closed 12:12 pm

Respectfully submitted,

Darlene Bellis  
Town Clerk